

AMENDED IN SENATE MAY 20, 2003

SENATE BILL

No. 301

Introduced by Senator Alarcon

February 19, 2003

An act to add Chapter 3.2 (commencing with Section 8251) to Division 1 of Title 2 of the Government Code, relating to the Commission on Latino/Latina Affairs.

LEGISLATIVE COUNSEL'S DIGEST

SB 301, as amended, Alarcon. Commission on Latino/Latina Affairs.

Existing law establishes various boards and commissions in state government with specified duties and responsibilities.

This bill would create the Commission on Latino/Latina Affairs consisting of ~~13~~ 15 members appointed as specified. The duties of the commission would include advising the Governor, the Legislature and state agencies, departments, and commissions on issues relating to the social and economic development, and the rights and interests of Latino/Latina communities.

The bill would require the commission to submit an annual report with specified recommendations by December 1 of each year to the Governor and the Legislature detailing its activities in the preceding 12 months and setting forth its proposed action plan for the following year.

The bill would specify that the commission would become operative upon the receipt of funds from public or private sources.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Chapter 3.2 (commencing with Section 8251) is added to Division 1 of Title 2 of the Government Code, to read:

CHAPTER 3.2. COMMISSION ON LATINO/LATINA AFFAIRS

8251. The Legislature finds and declares all of the following:

(a) The Latino/Latina community is the fastest growing community in the state.

(b) It is, therefore, appropriate and beneficial to create an advisory commission.

8251.5. The following definitions govern this chapter:

(a) “Commission” means the Commission on Latino/Latina Affairs.

(b) “Latino/Latina” means individuals whose origin is Mexican, Puerto Rican, Cuban, Central or South American, or any other Spanish-speaking country.

8252. (a) There is established in state government the Commission on Latino/Latina Affairs, which shall be comprised of ~~13~~ 15 members appointed in accordance with subdivision (b) and shall conduct its business in accordance with this chapter.

(b) (1) The members of the commission shall be individuals with knowledge or expertise of the Latino/Latina community, whether by experience or training, and who are representative of that community in the state, both geographically and demographically.

(2) Commission members shall be appointed as follows:

(A) ~~Four~~ Five members, appointed by the Senate Committee on Rules.

(B) ~~Four~~ Five members, appointed by the Speaker of the Assembly.

(C) Five members, appointed by the Governor. The Governor’s appointees shall not be subject to confirmation by the Senate.

(3) The Senate Committee on Rules and the Speaker of the Assembly shall make one appointment each from a pool of three nominees selected for each of the respective positions by the ~~Latino/Latina Legislative Caucus~~. *Senate and Assembly Minority Leaders.*

(4) The terms of commission members shall commence on January 1, 2004.

(5) (A) Subject to subparagraph (B), commission members shall serve for terms of six years.

(B) Of the initial appointments by the Governor, four members shall serve ~~four-year~~ *three-year* terms, and one member shall serve a ~~two-year~~ *one-year* term. Of the initial appointments by the Senate Committee on Rules and the Speaker of the Assembly, ~~two~~ *three* members appointed by each appointing power shall serve ~~four-year~~ *one-year* terms, and two members appointed by each appointing power shall serve two-year terms.

(6) Any vacancy in the membership of the commission shall not affect the powers of the commission and shall be filled in the same manner as the original appointment.

(7) *Nothing in this section shall be construed to prohibit commission members from being appointed to consecutive terms.*

(c) The chair of the commission shall be elected by a majority of the appointed members of the commission at the first official meeting of the commission, and shall serve a term of one year or until a successor is elected, whichever occurs later.

8252.5. (a) A majority of the appointed members of the commission shall constitute a quorum to conduct business, but the commission may establish a lesser quorum for conducting meetings scheduled by the commission. The commission may establish by majority vote any other rules for the conduct of the commission's business, if the rules are not inconsistent with this chapter or other provisions of law.

(b) After its first year, the commission shall establish both of the following:

(1) A schedule of meetings to be held four times a year.

(2) Designated meeting places at locations throughout the state.

(c) Members of the commission shall serve without compensation, but may be reimbursed for actual and necessary travel expenses.

8253. The commission shall do all of the following:

(a) Advise the Governor, the Legislature, and state agencies, departments, and commissions on issues relating to the social and economic development, the rights and interests of Latino/Latina communities, *including, but not limited to, health, education, labor, housing, poverty, essential services, and transportation,* and

1 on how to respond most effectively to the views, needs, and
2 concerns of the state's Latino/Latina communities.

3 (b) Assist the state in maintaining effective liaison and outreach
4 with Latino/Latina communities in California by, among other
5 means, disseminating information about Latino/Latina resources
6 to the public and engaging in effective outreach with Latino/Latina
7 communities in the state by communicating information to them
8 concerning public and private programs that are beneficial to their
9 interest.

10 (c) Examine issues of access and cultural and language
11 sensitivity by state agencies, departments, and commissions and
12 compile research about Latino/Latina communities relative to the
13 use of state services, including the development and maintenance
14 of data relative to this use.

15 (d) Provide assistance to policymakers and state agencies on
16 identifying the needs or problems affecting Latino/Latina
17 communities and in developing appropriate responses and
18 programs.

19 (e) Educate the public about hate crimes against Latino/Latina
20 communities and other key issue areas identified by the
21 commission.

22 8253.5. By December 1 of each year, the commission shall
23 submit an annual report to the Governor and the Legislature
24 detailing activities undertaken by the commission in the preceding
25 12-month period. The report shall set forth the commission's
26 proposed action plan for the following year and its
27 recommendations on how to improve the delivery of state services
28 to Latino/Latina communities.

29 8254. With respect to its duties under Section 8253, the
30 commission shall be an advisory commission only, and there shall
31 be no right or obligation on the part of the state, or the parties
32 meeting and conferring, to implement the findings of the
33 commission without further legislation that specifically authorizes
34 that the evaluations, determinations, and findings of the
35 commission be implemented.

36 8254.5. (a) The commission may apply for and accept grants
37 and receive gifts, donations, and other financial support from
38 public or private sources for purposes of this chapter, subject to the
39 requirements of Sections 11005 and 11005.1.

1 (b) The commission may also accept any other funds
2 appropriated by the Legislature expressly for the purposes of this
3 chapter.

4 (c) *The commission shall only become operative upon the*
5 *receipt of funds pursuant to subdivision (a).*

O

